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EXAMINER

KRISCIUNAS, LINDA MARY

ART UNIT PAPER NUMBER

3623

DATE MAILED: 08/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/975,226

Applicant(s)

WEIGELT ET AL.

Examiner

Linda Krisciunas

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 22-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 22-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The following is a second Non-Final office action due to the changing of the art rejection from a 35 U.S.C. 102 rejection to a 35 U.S.C. 103 rejection, in response to the applicant's arguments and amendments filed July 28, 2006. Claims 1-12 and 22-34 are pending. Claims 1 and 28 were amended.

Response to Amendment

2. The Examiner has fully considered the amendments to claim 1 and maintains the 35 U.S.C. 112, first paragraph rejection for claim 1-12 as the limitation of "code for mapping revenue" fails to comply with the written description requirement. The claim(s) contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, has possession of the claimed invention. This limitation is not enabled by the Specification and is considered new matter.

Response to Arguments

3. The Examiner has fully considered the applicant's arguments, and they are summarized below with respect to subsequent argument(s) or agreement(s) by the Examiner.

With respect to the argument on page 11 of the Remarks stating that Hammann does not teach a generic revenue management data model and express various, or multifarious, results in a uniform format, the Examiner disagrees. The concept of a "generic" data model can be met by a data model that can be used by more than one person or one that can be used with more than one set of data. Hammann teaches

determining marginal values for individual resources by loading data related to individual resources and associated composite resources from a resource revenue management system (paragraph 31). Hammann also teaches in paragraph 36 that the invention can be used to provide a computer-based method for yield management where the method determines parameter values for composite resources. Both of these determinations provide a value, whether it be a marginal value or a transaction parameter value, which constitutes a uniform format of a number value. The fact that the system can be used for various revenue management calculations and different data sets constitutes that it is generic. In addition, the term generic is non-functional descriptive data. Non-functional descriptive data differences are not functionally involved in the steps recited nor do they alter the recited structural elements. The recited method steps would be performed the same regardless of the specific data. Further, the structural elements remain the same regardless of the specific data. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, *see In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); *MPEP* § 2106.

With respect to the applicant's arguments starting in the last paragraph of page 12 and continuing to page 13 with respect to the data structures being different in Hammann, the Examiner disagrees. Hammann teaches demand (paragraph 136: demand records list (34)), resources (paragraph 136: resource list (32)), resource bundle (paragraph 136: composite resource list (33) which constitutes a bundle) and associations between resources and demands (paragraph 138, where the schedule

Art Unit: 3623

represents the association between the resource list, composite resource list and demand records and a representation is displayed in Figure 4 where the resources of rooms are associated with the demand (cases) according to the schedule. In addition, paragraph 32 cites data structures which link each of the individual resources to their associated composite resources and vice versa, whereby the link constitutes an association between data structures.) The fact that the applicant argues they have different purposes is irrelevant as that is deemed intended use and does not impact the functionality of the claim.

Hammann teaches physical capacity and maximum capacity in paragraph 67 and resource weights in paragraph 193. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., overbooking considerations and resource weights) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Hammann teaches a fifth data structure of resource demand for individual resources (paragraph 142, where the demand records list (34) contains demand records (46) and stores the demand forecast for the composite resource, which constitutes a fifth data structure.)

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., demand forecasts for each entity are stored in the data structure) are not recited in

the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

With respect to the argument that there is no association between resource bundles and demands, the Examiner disagrees and cites the optimization function (paragraph 31) which implies an algorithm to correlate the resources to the demands to best optimize the system. This algorithm inherently contains an association between resources and demands and the algorithm as well as the results of the optimization function reside in data structures since a data structure is a mere collection of data. Hammann teaches data structures in paragraphs 32-33.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., Hammann specifies a continuous demand curve) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., cannot produce a continuous demand curve but a discrete one) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

With respect to the argument that “mapping revenue management problem data to the database” does not constitute sending the data to the database for storage, the Examiner disagrees. The Arguments cited on page 15 state the system organizes data according to the data model into specific data structures which are optimized, and the mapping function can map the optimization results to the database. The fact that Hammann has memory for storing data implies a database, as cited in paragraph 32, which means that the system would inherently have a method of mapping, or assigning a path, to the information so that it is stored in this memory.

With respect to the argument that a fifth data structure representing resource demand based on the optimization is not present in Hammann, the Examiner disagrees. See Figures 10a and 10b which shows resource demand curves generated by the resource demand determination function, which constitutes an optimization process.

With respect to the argument that an airline network is not anticipated by Hammann, the Examiner agrees and withdraws the 35 U.S.C. 102 rejection and has changed this rejection to a 35 U.S.C. 103 obvious rejection.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., Talluri meets the terms and not the invention) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

With respect to the argument that the motivation to combine is not provided by Talluri nor Hammann, the Examiner points out that the motivation to combine is not required to come from either reference. The Examiner asserts that 'the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art.' In re Keller, Terry, and Davies, 208 USPQ 871, 881 (CCPA 1981). In the instant case, Talluri is in the same field of endeavor as Hammann: revenue management.

With respect to the argument that Talluri's reservation booking system does not represent elements of a data structure, the Examiner disagrees. The reservation booking system is an electronic system which contains information with respect to flights and seats etc and therefore the information representing flights offered would be contained in a data structure since a data structure merely represents a collection of data.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., overbooking) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

With respect to the argument that the motivation to combine is not provided by Baiada nor Talluri nor Hammann, the Examiner points out that the motivation to combine is not required to come from either reference. The Examiner asserts that 'the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art.' In re Keller, Terry, and Davies, 208 USPQ 871, 881 (CCPA 1981). In the instant case, Baiada is in the same field of endeavor as Talluri and Hammann: revenue management.

Lastly, the Examiner points out the fact that in paragraph 20 of the Specification the applicant admits that it is well known in the art for revenue management techniques to apply mathematical algorithms (which can be contained in software programs stored on a tangible medium) to a set of revenue management problem data for the purpose of determining the optimal quantity or optimal price of a product. The Examiner agrees that this is well known and that revenue management software packages that are currently on the market are considered generic as well since they are purchased and used by many different people and companies for many different problems with different data sets.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

Art Unit: 3623

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1-12 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The limitation of "code for mapping revenue management problem data" is not enabled by the Specification and is considered new matter.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1 and 29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1 and 28, the phrase "such that" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 3623

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-2, 4-5, 10-12, 22 and 25-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hammann (US 2002/0055865).

As per claims 1, 12, 22 and 28, Hammann does not explicitly teach first, second, third and fourth data structures. Hammann teaches a data structure comprising code for constructing the generic revenue management data model on a tangible storage medium such that the generic revenue management data model comprises (paragraph 38: "The yield management system includes a processor connected to the storage device and controlled by the program. The processor operative with the program determines transaction parameter values for composite resources having at least one human-factor resource which includes an offer price calculated using yield management techniques, and communicates the transaction parameter values for at least one composite resource to at least one user." Where the computer program would inherently contain code.): a data structure storing a representation of one or more network demands, each of which forecasts a number of requests expected for an item or a combination of items in the network (paragraph 136: demand records list (34)); a second structure for storing a representation of one or more network resources, wherein each network resource has at least one attribute for measuring an ability to contribute to a satisfaction of the one or more network demands (paragraph 136: resource list (32)); a structure for storing a representation of one or more resource

bundles, wherein each resource bundle represents a single resource or group of resources residing in the second data structure and wherein the group of resources are combinable to form a product or service (paragraph 136: composite resource list (33)); and a fourth structure for storing a representation of associations between the one or more resource bundles and the one or more network demands (paragraph 138, where the schedule represents the association between the resource list, composite resource list and demand records and a representation is displayed in Figure 4 where the resources of rooms are associated with the demands (cases) according to a schedule.), wherein the first data structure is associated with the third data structure via the fourth data structure (As previously noted, Figure 4 displays the association between the demand (as indicated by the cases) for rooms by associating the respective room resources with the respective demand.); and code for mapping revenue management problem data to the tangible storage medium according to the generic revenue management data model (paragraph 38: "The yield management system includes a processor connected to the storage device and controlled by the program. The processor operative with the program determines transaction parameter values for composite resources having at least one human-factor resource which includes an offer price calculated using yield management techniques, and communicates the transaction parameter values for at least one composite resource to at least one user." Where the computer program would inherently contain code.). It would have been obvious to one of ordinary skill in the art at the time of the invention to

number the data structures, first, second, third and fourth to provide means for easily identifying the data.

With respect to the limitation of claim 28 for mapping the data to the database, the Specification does not expand upon the definition of this function and the Examiner is interpreting it to be a means of sending the data to the database for storage.

Hammann teaches sending data to a database for storage (paragraph 32: "system includes memory storing the data related to the individual resources and the associated composite resources, the internal data structures, and at least one program for controlling the at least one processor." Where having memory for storing data would constitute a database.).

As per claim 2, Hammann teaches each association residing in the fourth data structure associates a resource bundle residing in the third data structure to a network demand residing in the first data structure (paragraph 138, where the schedule represents the association between the resource list, composite resource list and demand records and a representation is displayed in Figure 4 where the resources of rooms are associated with the demands (cases) according to a schedule.).

As per claims 4 and 25, Hammann teaches for each association, a representation of optimal quantity and optimal price (paragraphs 145-146, where optimization functions are utilized with supply and demand components and the values are expressed in dollars for demand and capacity unit for supply. This is equivalent to providing an optimal price and quantity as it performs an identical function in substantially the same manner with substantially the same results.).

As per claim 5, Hammann does not explicitly teach the network is an airline network (Hammann teaches yield management is utilized in the airline industry as indicated in paragraph 9, 29 and 184.). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to apply the yield management system to an airline network to provide means for optimizing resources with respect to demand to in turn provide better customer service.

As per claims 10-11 and 26, Hammann teaches the fifth data structure represents a resource demand (paragraph 142, where the demand records list (34) contains demand records (46) and stores the demand forecast for the composite resource. This is equivalent to a fifth data structure that represent demand as it performs an identical function in substantially the same manner with substantially the same results.

As per claim 27, Hammann teaches generating the resource demand with a network optimization (paragraphs 145-146, where optimization functions are utilized with supply and demand components and the values are expressed in dollars for demand and capacity unit for supply. This is equivalent to providing an optimal price and quantity as it performs an identical function in substantially the same manner with substantially the same results).

As per claim 29, Hammann teaches the generic revenue management data model allows data for multifarious revenue management problems in the network to be expressed in a uniform format (paragraph 146: "The basic control structure used to iteratively determine marginal values is identical regardless of the optimization function

employed. This generic control structure is shown in FIGS. 7 and 8. A supply-demand balance optimization function is depicted in FIGS. 6 through 11B. An EMRR optimization function is depicted in FIGS. 12 through 15. The iterative section common to both optimization functions will now be described.”).

10. Claims 3, 6-9, 23-24 and 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hammann (US 2002/0055865) in view of Talluri (US 6,263,315).

As per claims 3 and 24, Hammann does not explicitly teach maximum, physical and expected use capacity. Talluri teaches that it is know to provide, for each network resource, a representation of the maximum capacity of the network resource (The specification defines network resource as a representation of all flight legs that an airline offers in paragraph 30. Talluri teaches a reservation booking system, see Figure 4. A reservation booking system would contain a list of all flights offered.), physical capacity of the network resource (See Figure 4: maximum number of seats. See also Figure 4 (206) maximum authorized capacity for itinerary) and expected use capacity of the network resources (column 5, lines 53-58, where expected use of the resources would equivalent to the reservation yield and the database maintaining historical records of all the reservations as it performs an identical function in substantially the same manner with substantially the same results.). Talluri is an analogous art as it also teaches about revenue or yield management. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the yield management system of Hammann with the capacity features of Talluri to provide a means for measuring the resources and effectively utilizing them to meet demand.

As per claim 6 and 23, Hammond does not explicitly teach itinerary and fare class demand. Talluri teaches that it is known that one or more network demands further comprise: at least one itinerary demand (column 5, line 61) and at least one fare class demand for one or more flights in the airline network (column 7, line 57). Talluri is an analogous art as it also teaches about revenue or yield management. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the yield management system of Hammann with the demand-types feature of Talluri to provide a means for segregating the types of demands and in turn better servicing those demands with the appropriate resources.

As per claim 7, Hammann does not explicitly teach a seat on a flight leg. Talluri teaches that it is known that a network resource includes a seat on a flight leg (column 5, line 65). Talluri is an analogous art as it also teaches about revenue or yield management. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the yield management system of Hammann with the flight leg feature of Talluri to provide a means for segregating the types of demands and in turn better servicing those demands with the appropriate resources.

As per claim 8, Hammann does not explicitly teach an origin to destination itinerary. Talluri teaches that it is known the resource bundle linked to the network resource includes an origin to destination itinerary (claim 5: "trip to selected destination"). Talluri is an analogous art as it also teaches about revenue or yield management. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the yield management system of Hammann with the

demand-types feature of Talluri to provide a means for segregating the types of demands and in turn better servicing those demands with the appropriate resources.

As per claim 9, Hammann does teach associating the fourth data structure to the resource data in the third data structure with the demand in the first data structure (paragraph 138, where the schedule represents the association between the resource list, composite resource list and demand records and a representation is displayed in Figure 4 where the resources of rooms are associated with the demands (cases) according to a schedule). Hammann does not explicitly teach the terms destination itinerary. Talluri teaches an association with the origin to destination itinerary with an itinerary demand (column 5, lines 46-56, where the reservation system (16) is making origin to destination itineraries). Talluri is an analogous art as it also teaches about revenue or yield management. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the yield management system of Hammann with the itinerary feature of Talluri to provide a means for segregating the types of demands and in turn better servicing those demands with the appropriate resources.

As per claim 30, Hammann does not explicitly teach applying one or more revenue management programs to the data. Talluri teaches that it is known to apply one or more revenue management programs to the revenue management problem data stored in the generic revenue management data model to derive an optimal network-wide solution for the network (column 5, lines 4-16 where the system is capable of mimicking the decisions of nested allocation and traditional bid price controls which are

equivalent to one or more revenue management programs as it performs an identical function in substantially the same manner with substantially the same results.). Talluri is an analogous art as it also teaches about revenue or yield management. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the yield management system of Hammann with the various revenue management program feature of Talluri to provide a means for utilizing the data with various programs as a means to provide benchmark-type data which allows verification of the results provided.

As per claim 31, Hammann does not explicitly teach splitting the revenue data from the optimization data. Talluri teaches that it is known to split problem information into the revenue management problem data and optimization sequence data (column 5, lines 11-16); and based on the optimization sequence data, applying one or more revenue management programs to the revenue management problem data stored in the generic revenue management data model to derive an optimal network-wide solution for the network (column 5, lines 4-16 where the system is capable of mimicking the decisions of nested allocation and traditional bid price controls which are equivalent to one or more revenue management programs as it performs an identical function in substantially the same manner with substantially the same results). Talluri is an analogous art as it also teaches about revenue or yield management. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the yield management system of Hammann with the splitting of revenue and

optimization data feature of Talluri to provide a means for segregating the utilization of the system such that one portion focus on optimization and the other on revenue.

11. Claims 32-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hammann (US 2002/0055865) in view of Talluri (US 6,263,315) in further view of Baiada et al (US 6,721,714).

As per claim 32, Hammann does not explicitly teach the affect on resources. Baiada teaches that it is known to decompose the network to determine how the optimal network-wide solution affects individual local resources (See Figure 8 which contains a flow chart of how the airline management system functions and how the various resources are affected and how they effect the optimization of the system). Baiada is an analogous art as it also teaches about management and optimization of an airline. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the management system of Hammann with the impact on resources feature of Baiada to provide a more comprehensive and efficient system since it alerts the user to the impact decisions will have on resources as well as revenue and allows the user visibility to pick the best decision considering all the criteria.

As per claim 33, Hammann does not explicitly teach representing demand on individual resources. Baiada teaches that it is known that a generic revenue management data model further comprises a fifth data structure for storing a representation of demands placed on the individual local resources (column 4, lines 28-41, where Baiada teaches to take into consideration a wide array of parameters and factors including resources such as ground services, gate availability, cargo etc. See

Figure 8 which depicts a flow chart of how the various resources are integrated in the system.). Baiada is an analogous art as it also teaches about management and optimization of an airline. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the management system of Hammann with the demand on individual resources feature of Baiada to provide a more comprehensive and user-friendly system since it alerts the user to the impact on resources and allows the user visibility to individual resource demands.

As per claim 34, Hammann teaches applying at least one revenue management program to the revenue management problem data stored in the generic revenue management data model to derive one or more locally optimal solutions (paragraph 146: "The basic control structure used to iteratively determine marginal values is identical regardless of the optimization function employed. This generic control structure is shown in FIGS. 7 and 8. A supply-demand balance optimization function is depicted in FIGS. 6 through 11B. An EMRR optimization function is depicted in FIGS. 12 through 15. The iterative section common to both optimization functions will now be described", and paragraphs 145-146, where optimization functions are utilized with supply and demand components and the values are expressed in dollars for demand and capacity unit for supply. This is equivalent to providing an optimal price and quantity as it performs an identical function in substantially the same manner with substantially the same results).

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linda Krisciunas whose telephone number is 571-272-6931. The examiner can normally be reached on Monday through Friday, 6:30 am to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LMK

Roman Janty
Primary Examiner
Art Unit 362